

Claim 1 (currently amended): A composition comprising:

1-25 wt. % of a silicone gum;

1-40 wt. % of a silicone fluid having a viscosity of 10 to 60,000 mm²/s at 25 °C ;

1-35 wt. % of a silicone wax; and

20-90 wt. % of a volatile silicone fluid having a viscosity up to and including 5 mm²/s at 25 °C;

the composition being free of silicone resins.

Claim 2 (previously presented): The composition according to claim 1 wherein the silicone gum comprises a hydroxyl-terminated polydimethylsiloxane and is present in an amount of 5 to 15 wt %.

Claim 3 (previously presented): The composition according to claim 1 wherein the silicone fluid has a viscosity of 20 to 20,000 mm²/s at 25 °C and is present in an amount of 20-30 wt %.

Claim 4 (previously presented): The composition according to claim 3 wherein the silicone fluid comprises a mixture of silicone fluids having a viscosity of about 20 mm²/s at 25 °C and 12,500 mm²/s at 25 °C .

Claim 5 (previously presented): The composition according to claim 1 wherein the silicone wax comprises a trimethylsiloxy-terminated dimethyl, methyloctadecylsiloxane and is present in an amount of 5 to 15 wt %.

Claim 6 (previously presented): The composition according to claim 1 wherein the volatile silicone fluid comprises hexamethyldisiloxane and is present in an amount of 40 to 70 wt %.

Claim 7 (canceled).

Claim 8 (previously presented): The composition according to claim 1 also comprising a cosmetic ingredient.

Claim 9 (canceled).

Claim 10 (currently amended): A method of forming a film on a substrate scar resulting from injury or surgery comprising:

(A) mixing components comprising:

1-25 wt. % of a silicone gum;

1-40 wt. % of a silicone fluid having a viscosity of 10 to 60,000 mm²/s at 25 °C ;

1-35 wt. % of a silicone wax; and

20-90 wt. % of a volatile silicone fluid having a viscosity up to and including 5 mm²/s at 25 °C;

(B) applying the mixture formed in (A) to a scar resulting from injury or surgery substrate; the mixture being free of silicone resins; and

(C) allowing the volatile silicone fluid to evaporate and thereby deposit a film on the scar resulting from injury or surgery substrate.

Claim 11 (canceled).

Claim 12 (canceled).

Claim 13 (previously presented): The method of claim 10 wherein the mixture formed in (A) also comprises a cosmetic ingredient.

Claim 14 (canceled).

Claim 15 (new): A composition consisting of:

1-25 wt. % of a silicone gum;

1-40 wt. % of a silicone fluid having a viscosity of 10 to 60,000 mm²/s at 25 °C ;

1-35 wt. % of a silicone wax;

20-90 wt. % of a volatile silicone fluid having a viscosity up to and including 5 mm²/s at 25 °C;

and optionally at least one common additive rendering the composition suitable for scar treatment, cosmetics, skin care, pharmaceutical delivery, and veterinary applications.

Claim 16 (new): A method of forming a film on a substrate comprising:

(A) mixing components consisting of:

1-25 wt. % of a silicone gum;

1-40 wt. % of a silicone fluid having a viscosity of 10 to 60,000 mm²/s at 25 °C ;

1-35 wt. % of a silicone wax;

20-90 wt. % of a volatile silicone fluid having a viscosity up to and including 5 mm²/s at 25 °C;

and optionally at least one common additive rendering the composition suitable for scar treatment, cosmetics, skin care, pharmaceutical delivery, and veterinary applications;

(B) applying the mixture formed in (A) to a substrate; and

(C) allowing the volatile silicone fluid to evaporate and thereby deposit a film on the substrate.

Section c.) Remarks.

This reply is in response to the Office Action dated February 26, 2004.

Claims 7, 9, 12, and 14, rejected under Section 112 have been canceled, although the terms pharmaceutical agent and veterinary ingredient describe compositions known in the art.

The remaining Claims 1-6, 8, 10, 11, and 13 stand rejected as being unpatentable over Drechsler (WO 97/17058) in view of Mellul (US 5496544).

Claims 1 and 10 have been amended to require that the composition mixture be free of silicone resins, which is an essential ingredient present in both Drechsler and Mellul. Therefore, it is not considered that it would be obvious to one skilled in the art to be motivated to remove silicone resins from the composition described by Drechsler and Mellul, to meet the terms of the amended Claims 1 and 10. In addition, the Examiner's combination of Drechsler and Mellul is

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not entirely understood, since Drechsler on Page 11 line 28 discloses "silicone waxes", and therefore the Examiner's reliance on Mellul for a teaching of adding a silicone wax would seem cumulative.

Claim 10 in particular, has also been amended to bring out the distinction that the mixture resulting in the film, is applied to a scar resulting from injury or surgery, a feature also absent from both Drechsler and Mellul. New Claims 15 and 16 describe the mixture as "consisting" of the named ingredients, and therefore inherently exclude the silicone resins of Drechsler and Mellul.

In view of the above, it is considered that the claims distinguish over the cited references for the reasons stated, and the Examiner is requested to withdraw the rejections and pass the case to issue.

Respectfully submitted,

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